

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

2005 DEC 16 P 1:41

DEBRA P. HICKS, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

Roderick Leonadra Moore
Full name and prison number
of plaintiff(s)

v.

Katy Holt

CIVIL ACTION NO. 2:05CV1203-T
(To be supplied by Clerk of
U.S. District Court)

Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO (☒)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO (☒)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) N/A

Defendant(s) N/A

2. Court (if federal court, name the district; if state court, name the county) N/A

3. Docket number N/A
4. Name of judge to whom case was assigned N/A
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit N/A
7. Approximate date of disposition N/A

II. PLACE OF PRESENT CONFINEMENT 565 Bibb Lane, Brent
Alabama 35034

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED Alabama
Dept. of Correction Bibb Co. Corr Inst.

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

1. Kathy Holt 1400 Hwy 1 Street Montgomery AL 36130
2. Warden Price 565 Bibb Lane Brent AL 35034
3. Commissioner Donald Campbell P.O. Box 301501, Montgomery AL
4. 36130-1501
5. Classification Mrs. Howard 565 Bibb Lane Brent AL 35034
6.

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED 7-26-03 up to
3-19-2005

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: CRUEL AND UNUSUAL Punishment 8th Amend
const. Violation

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

SEE ATTACHED PAGE

GROUND TWO:

Deliberate Indifference
14th Amend

SUPPORTING FACTS:

SEE ATTACHED PAGE

GROUND THREE:

Due Process Unlawful Imprisonment
- 14th Amend

SUPPORTING FACTS:

SEE ATTACHED PAGE

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

The Plaintiff is suing each defendant in their official AND
individual capacity for 900,000 compensatory AND NOMINAL
DAMAGES AND 200,000 for punitive damages

Roderick Moore
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true
and correct.

EXECUTED on 12-9-05
(Date)

Roderick Moore
Signature of plaintiff(s)

ON or About 1-9-91 the PLAINTIFF was Arrested And Charged with UNLAWFUL Breaking And Entering And Theft of Property I, And Burglary III. ON or About 2-22-91 the PLAINTIFF PLEAD guilty to unlawful Breaking And Entering And Theft of Property I, And was Sentenced to 20 years on EACH Count Running Concurrent. The Same there of for Burglary III. THE PLAINTIFF was Sent to the A.D.O.C Kilby, Fac to be CLASS UP on or About 2-22-91 And was Later CLASSed to go to Red Eagle Correctional Fac, ON or About 4-94 the Plaintiff WAS transferred from Hamilton Work-Release to Montgomery Work-Release. ON or About 8-27-94 the Plaintiff escaped And WAS Recapture 9-27-94. ON or About 3-9-95 the Plaintiff WAS sentenced on escape II And received A 15 yr split 2 yr sentenced. Prior to receiving the New Sentence the Plaintiff WAS Already Serving A 20 yr. Sentence from Jefferson Co. With A date for 1-96

upon being interviewed for Parole At Donaldson Correctional in Oct. 95 by the AIA Pardon & Parole State division LA Vent in informed the Plaintiff that the board would Not Consider Release until the full term of the split was honored And the Plaintiff Parole interview was reset the following year of 97 upon which date the Plaintiff was set off Again And reset for the following year to be in 98.

ON or About 1-26-98, Parole WAS granted And the Plaintiff WAS released After Serving the Mandatory 2 yr of the 15 yr split AS order by Judge Eugene Reese, of the Montg. Co. Circuit Courts Stipulating that the 2 yr. split term WAS to begin on 3/9/95. ON or About 5/13/98 the Plaintiff WAS reArrested on A NEW

Charge of receiving Stolen Property I, And declared delinquent
 On About 6-05-98 the Plaintiff was Sentenced to 15 yr to run
 Concurrent with the escape time And theft of Property time
 20 yrs. And Breaking And Entering & Burglary III.
 On or About 6-98 the Plaintiff was Return back to the A.D.O.C.
 Kilby Correctional Fac, And there After to Fountain Corr. Fac,
 On or About 1-99 the Plaintiff was transferred to Bibb Co.
 Corr Fac.
 On or About 7-7-03 the Plaintiff was granted Parole And
 ordered release. After ~~dressing~~ out And Seeing Warden
 Price for release, I was stop And told by Warden Price that
 She had receive AN order from A.D.O.C. Legal division of Central
 Record. Per Mrs Kathy Holt who is head Director, to Cancel
 My release pending Additional time to be served on the
 Split.
 After Contacting my Classification Supervisor MS Howard,
 I WAS told that A New Policy had been implemented
 Concerning Split Sentence, which states that "If you got
 A Consecutive Split Sentence you must remain untill
 Completion of the Split Sentence.
 I explained to her that I had Already Completed
 My Split Sentence in 1997 And WAS Paroled in 1998.
 I ALSO wrote A request slip explaining the SAME thing
 to Warden Price but All to NO Avail.
 I wrote Kathy Holt, director of Central Records Legal-
 division who is responsible for Computing All Sentences
 received From County Court house Clerks.

to compute inmates earliest And long term release date, Letting her know that I was reserving time on My Split Sentence Already Served from 3-9-95 to 3-9-97 And that I had been released to the remainder of My Split in January of 1998, but All to No Avail.

I then wrote Commission Donald Campbell, letting him know that I was being held Against My will by the A.D.O.C. while being forced to serve the same time twice on A Split Sentence • I'd received on 3-9-95 for escape, but All to No Avail. After suffering Mentally grossly And being deprived of My liberty unlawfully the Plaintiff has been Cruelly Punished twice for the same thing. The Plaintiff Avers that All defendants Are And were deliberately indifference to his liberty by failing to Act in their official Capacity to help remedy the error.

The Plaintiff is Sueing EACH individual Seperate in their official Capacity For All damages incurred under the 8th, 5th, And 14th Amend under Color of LAW.

Where by Swearing to the best of his knowledge that All Allegations here in is true and Correct.

Done this 12-9 of 2005
Respectfully Submitted
Roderick Moore